

**CITY OF CARROLLTON
SHARPE CREEK RESERVOIR
RULES and REGULATIONS**

Purpose and Policy

The purpose of this section is to establish reasonable regulations for the protection of water quality of the Sharpe Creek Reservoir and to provide for limited recreational activity on same.

Uses of the Reservoir

The sole public purpose of the Sharpe Creek Reservoir is as a water storage impoundment for the City of Carrollton Water System. Consequently, water will periodically be drawn from the reservoir during periods of drought and/or high demand in accordance with the City's Reservoir Management Plan and the level of the water pool will fluctuate accordingly.

- Recreational activity (boating, fishing, swimming) shall be limited to owners of private property abutting the reservoir, their immediate families and guests. A Property owner must be present when a guest is using the reservoir. There is no general public access for recreation purposes available, planned or contemplated by the City. No commercial use of any type, for any purpose is permitted.
- Only those owners of private property (along with their immediate families and guests) with either (a) a minimum of 100' frontage on the lake or (b) a minimum of 100' of frontage on City-owned property that, in turn, has at least 100' of frontage on the lake may use the lake for recreational activity. However, this limitation shall not apply to lots of record existing as of March 1, 2006.
- Corporations, partnerships, limited liability companies, or other corporate entities that own property meeting the above requirements may designate only two (2) persons as the "owner" of the property for purposes of making recreational use of the lake. Such designations shall be on an annual basis and shall be submitted to City of Carrollton Water Superintendent in writing between January 1 and January 15 of each year. This privilege is for one (1) calendar year only and must be renewed annually. No other person with an ownership interest in the corporation, partnership, limited liability company, or other corporate entity shall be allowed to use the lake, except as an immediate family member or guest of the designated owner and only as provided above. The Sharpe Creek Subdivision and the Country Lake Estates Property Owners Association lots (as shown on the original plat) are exempt from this provision.

One Hundred Fifty Foot Permanent Perpetual Easement

Each property owner with property abutting the reservoir shall be subject to the provisions of the 150' permanent, perpetual easement on that portion of the property which lies between mean sea level 1030 to a point 150' horizontally from mean sea level 1034.5. Each deed contains the following language describing the conditions of the easement:

The easement area is for the purpose of storing flood waters up to elevation 1034.5 and protecting the environmental purity of the lake known as Sharpe Creek Reservoir to be constructed on the property herein and adjoining properties. To this end no building may be constructed thereon or the land may not be cultivated or grazed or fences erected thereon without written approval of Grantee's representative. Grantor or their assigns may construct upon the easement area or upon the area conveyed herein a boathouse, dock or pier; however, the same shall be constructed and maintained in accordance with regulations as established and maintained by Grantee which shall include limitation as to number, size, site, location, construction material, use, design and other pertinent factors, all of which will be reasonable and appropriately applied to protect the water quality of the Sharpe Creek Reservoir.

No permanent structures of any type (except private docks, boathouses, piers or related structures) or any septic system including drain field lines, sewer, fuel storage or similar items/ systems, etc. will be permitted within the 150' easement area.

Docks, Piers, Boathouses

Private docks, boathouses, piers or related structures are permitted within the 150' easement area provided that:

- A plan of the proposed structure showing the size, location, construction materials (creosote poles and materials are not allowed), use, design and other pertinent factors which may be reasonably and appropriately applied to protect the water quality of the Reservoir is submitted to the City Engineer or water superintendent for review, approval and issuance of a permit;
- In addition to approval by the City Engineer or water superintendent, the dock, boathouse, pier or related structure must meet all applicable provisions of the Carroll County Building Code/Zoning Ordinance and the owner obtain a valid building permit as required by law or regulation;
- The City Engineer or other designated representative of the City is provided access to conduct inspections of the structure during construction and periodically thereafter;
- No commercial docks, boathouses, piers or related structures will be permitted;
- No more than one structure per parcel fronting on the lake, but no more than one structure per 100' of shoreline; and
- No dock, boathouse, piers or related structures may extend further than 24' from the shoreline into the lake. All existing wooden structures are grandfathered if a drawing and plat location are submitted to the city water superintendent by November 15, 2006 (except creosote structures).

The cost and liability of constructing a private dock, pier or boathouse shall be borne entirely by the property owner. The City assumes no responsibility or liability for the integrity, soundness, structure or materials used.

The City reserves the right to require that docks, piers or boathouses be moved, relocated or removed from the reservoir at the property owner's expense upon reasonable request at any time for purposes of maintaining water quality.

All maintenance of private docks, piers or boathouses shall be the responsibility of the owner. If a dock becomes damaged or is deemed in the reasonable opinion of the City unsuitable for the reservoir, the dock, pier or boathouse must be removed from the reservoir at the owner's expense.

The City reserves the right to remove the dock, pier, boathouse from the reservoir at the owner's expense and without liability for damage to the dock or the owner's private property if the owner fails to comply with the City's rules, regulations and directions.

No cleaning of docks, decking, piers, boathouses or boats moored at same with soaps or solvents are permitted.

Swimming/Wading

Swimming and/or wading shall be permitted in the reservoir by property owners with property abutting the reservoir, their immediate families and guests only. All swimming must be within 100' of the shore or an anchored boat.

There shall be no swimming and/or wading before sunrise or after sundown.

All swimming and/or wading shall be at the individuals "own risk". No lifeguard service will be provided by the City.

Fishing

Fishing is permitted only from private property by private property owners with property abutting the reservoir, their immediate families and guests and from properly registered boats of private property owners with property abutting the reservoir.

All individuals fishing in the reservoir must comply with all fishing rules and regulations of the Georgia Department of Natural Resources concerning safety, licenses creel limits and all other applicable requirements. Trot lines and set or bank poles are not permitted.

Fishing from roads and bridges adjacent to or over the reservoir is not permitted.

Boating

Only private property owners with property abutting the reservoir shall be permitted to place boats on the Sharpe Creek Reservoir subject to the following regulations:

- Each boater must obtain an annual registration permit from the Carrollton Parks, Recreation and Cultural Arts Department. Applicants must provide verifiable proof of private property ownership abutting the reservoir and the current boat registration when completing the application form;
- Use of the registered boats on the reservoir is limited to property owners with property abutting the reservoir, their immediate families and guests (Property owners must be present when their guests use the reservoir);
- Compliance with all federal and state laws regarding boat and water safety;
- No boats larger than Class 1;
- Single motor outboard style or single inboard/outboard style motors only; (any motor purchased for use on the Sharpe Creek Reservoir (new or used) after May 01, 2007 must be 4 stroke and all motors must be 4 stroke by May 01, 2012);
- Motor horsepower limited to the size specified by the original capacity plate on the boat;
- No inboard motors permitted;
- No motors with open exhausts;
- Non-motorized crafts are allowed;
- Wake modification devices are not allowed on boats utilizing the reservoir;
- No individual under the age of 16 shall operate a boat;
- The maximum speed of boats on the reservoir shall be 30 mph;
- All vessels cannot be operated over idle speed within 100 feet of any moored or anchored vessel, vessel adrift, or any wharf, pier, piling, or persons in the water, or shoreline next to a full-time or part-time residence;
- No boats shall be operated before sunrise and after sunset;
- All motorized boats shall be operated in a counter-clockwise direction;
- A minimum of Two persons in all boats pulling skiers;
- No person shall operate a boat or manipulate any water skis or similar towable devices in a reckless or negligent manner; and

- No personal water craft or jet powered propulsion vessels are permitted on the reservoir.

The City reserves the right to prohibit any boat and/or vehicle from the reservoir.

There is no general public access for boating permitted, planned or contemplated by the City.

Additional Restrictions on Use of the Reservoir

The following is expressly prohibited at the reservoir and reservoir property:

- The possession or consumption of alcohol, drugs or any controlled substance;
- The possession or use of fire arms, ammunition, bows and arrow, loaded projectile firing devices or explosives;
- The operation or use of any audio or noise producing devices in such a manner as to unreasonably annoy or endanger other individuals;
- Livestock;
- Glass containers of any kind;
- Littering or dumping;
- Cleaning of boats with soaps or solvents;
- Boats that are not properly registered or that do not carry appropriate flotation devices;
and
- The discharge of any pollutant.

Restrictive Use

The City reserves the right to, at any time, restrict or prevent the use of the reservoir during periods of emergency or circumstances demanding such restrictions or preventions of use.

Damage, Trespassing

It shall be unlawful for any person to damage, tamper with, trespass, or alter any property, barricades, structures or appurtenances owned by the City.

Dam and Intake Restrictions

The dam, intake structure and immediate surrounding area is not available to private property owners and/or the public without authorization from the City. No person shall enter the restricted

area, attempt to operate or tamper with said structures, physically climb or attempt to reach by shoreline such structures, or in any way attempt to manipulate water levels around said structures.

Liability

All recreational use/activity is at the user's own risk. The City and the Sharpe Creek Over-site Committee members shall be held harmless from any claim, costs, loss or damage the owner may have against the City or committee members arising out of or in any way connected with the use of the reservoir facility.

All users of the City's reservoir shall hold the City and the Sharpe Creek Over-site Committee members safe and harmless from any claim, cost, loss, damage or obligation whatsoever that arises from the use of the reservoir facility.

Violators

The City reserves the right to expel persons, either temporarily or permanently and/or revoke boating, dock, swimming, fishing or other privileges for reasons detrimental to the City including but not limited to the violation of any rule or regulation of the City and failure to follow the direction of City representatives and agents.

Nothing in these regulations shall prohibit or limit the City from seeking other remedies as may be provided by law.

Sharpe Creek Over-site Committee

This committee shall consist of three (3) representatives of property owners of the Sharpe Creek Reservoir area. The committee shall be appointed by the City of Carrollton Water Superintendent for three year terms.

The committee's primary purpose is to assist the property owners around the reservoir in complying with the reservoir restrictions. The committee's secondary responsibility is to inform the City Water Superintendent of habitual violators of the reservoir restrictions.

The initial terms will be:

Jim Carter – 3 years;

Alan Beatty – 1 year, then three after the first term; and

Keith Carroll – 2 years and three after the first term.

Each term will expire on January 31. Anyone wishing to be considered for the position should notify the City of Carrollton water superintendent, in writing, between January 1 and January 15 of each year.

City of Carrollton
Water Superintendent
POB 1949
Carrollton, GA 30112

Watershed Protection Ordinance

All property abutting the reservoir and all property delineated by ordinance is subject to the provisions of the Sharpe Creek Reservoir Watershed Protection Ordinance adopted by the Carroll County Board of Commissioners on October 25, 1990.